

Tuesday, December 16, 2014

Senate Judiciary Committee
Room

2:00 p.m. to 4:00 p.m.

Legislative Rule-Making
Review Committee
(Code §29A-3-10)

Jeffery V. Kessler
ex officio nonvoting member

Tim Miley
ex officio nonvoting member

Senate

House

Snyder, Chairman	Present	Poore, Chairman	Present
Laird	Present	Marcum, Vice Chairman	Present
Miller	Present	Eldridge	Present
Unger	Present	Fleischauer	Present
Boley	Present	Frich	Present
Hall, M.	Present	Sobonya	Present

The Legislative Rule-Making Review Committee, met in the Senate Judiciary Committee Room at 2:00 p.m. on Tuesday, December 16, 2014. The meeting was called to order by Delegate Poore, and a silent roll call was taken, as reflected above.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by the **WV State Board of Registration for Professional Engineers, Examination, Licensure and Practice of Registered Professional Engineers, 7CSR1**, and responded to questions from the Committee.

Senator Snyder moved to ask the Board to withdraw their proposed rule. The motion was adopted.

Brandon Hatfield, Associate Counsel, explained his abstract on the rule proposed by **Real Estate Appraiser Licensing and Certification Board, Requirements for Registration and Renewal of Appraisal Management Companies, 190CSR5**. Mr. Hatfield stated that the Board agreed to modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Kevin Baker, Associate Counsel, explained his abstract on the rule proposed by the **Office of Administrative Hearings, Appeal Procedures, 105CSR1**. Mr. Baker stated that the Office agreed with modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Kevin Baker, Associate Counsel, explained his abstract on the rule proposed by the **West Virginia Division of Motor Vehicles,**

Examination and Issuance of Driver's License, 91CSR4, and responded to questions from the Committee. Mr. Baker stated that the Board agreed with modifications.

Mark Holmes, WV DMV, responded to questions from the Committee.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Fire Commission, Volunteer Firefighters' Training, Equipment and Operating Standards, 87CSR8**, and responded to questions from the Committee.

Steve Connolly, General Counsel, WV State Fire Commission, responded to questions from the Committee.

Senator Snyder moved the proposed rule be approved. The motion was adopted.

Brian Skinner, Associate Counsel, explained his abstract on the rule proposed by the **Fire Marshal, Supervision of Fire Protection Work, 103CSR3**. Mr. Skinner stated that the Marshal agreed to modifications.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Robert Williams, Associate Counsel, explained his abstract on the rule proposed by the **Family Protection Services Board, Operation of the Family Protection Advisory Board, 191CSR1**, and responded to questions from the Committee. Mr. Williams stated that the Board agreed to modifications.

Nikki Erwin, Family Protection Services Board, responded to questions from the Committee.

Senator Snyder moved the proposed rule be approved as modified. The motion was adopted.

Robert Williams, Associate Counsel, explained his abstract on the rule proposed by the **Family Protection Services Board, Family Protection Programs, Outreach Services and Shelter, 191CSR2**, and responded to questions from the Committee. Mr. Williams stated that the Board agreed to modifications.

Nikki Erwin, Family Protection Services Board, responded to questions from the Committee.

Senator Snyder moved that the rule be approved as modified. The motion was adopted.

Robert Williams, Associate Counsel, explained his abstract on the rule proposed by the **Family Protection Services Board, Batterer Intervention and Prevention Programs Licensure, 191CSR3**, and responded to questions from the Committee. Mr. Williams stated that the Board agreed to modifications.

Senator Snyder moved that the rule be approved as modified. The motion was adopted.

Robert Williams, Associate Counsel, explained his abstract on the rule proposed by the **Family Protection Services Board, Batterer Intervention and Prevention Programs Licensure for Correctional Institutions, 191CSR5**, and responded to questions from the Committee. Mr. Williams stated that the Board agreed to modifications.

Senator Snyder moved that the rule be approved as modified. The motion was adopted.

Robert Williams, Associate Counsel, explained his abstract on the rule proposed by the **Family Protection Services Board, Monitored Parenting and Exchange Program Certification, 191CSR4**. Mr. Williams stated that the Board agreed to modifications.

Senator Snyder moved that the rule be approved as modified. The motion was adopted.

Robert Williams, Associate Counsel, explained his abstract on the rule proposed by the **State Police, Regulations and Procedures Pertaining to the WV DNA Databank, 81CSR9**, and responded to questions from the Committee. Mr. Williams stated that the State Police agreed to modifications.

Senator Snyder moved that the rule be approved as modified. The motion was adopted.

Debra Graham, Chief Counsel, explained her abstract of a bill relating to the state Administrative Procedures Act and responded to questions from the Committee.

Delegate Sobonya moved to delete "including but not limited to". The motion was adopted.

Judy Cooper, WV Secretary of State's Office, responded to questions from the Committee.

Senator Snyder moved to adopt the bill, as amended, and have the bill submitted for introduction during the 2015 regular session. The motion was adopted.

Delegate Poore directed staff to draft legislation relating to authorization for the proposed rules and to prepare and submit the Committee's final report to each respective House.

There being no further business to come before the Committee, Senator Snyder moved to adjourn. The motion was adopted.